

Europe has now entered its post-Christian era.

That is a very interesting statement, to think that Europe went through a pre-Christian era, then a Christian era, and now it is in a post-Christian period.

When you go throughout the great cities of Europe and look at the many churches, you find that most of them have been turned into concert halls, or tourist attractions, and they are not used for religious purposes anymore.

So why is Europe turning away from religion where America remains a strongly religious nation? I am sure there are many reasons, but the one that strikes me as cogent is the fact that we have never had a State church here in America. That means religions in America have had to compete for adherence in the public square on the basis of their doctrine, on the basis of their humanity and compassion, on the basis of their attractiveness to those who might want to affiliate with them, whereas in Europe you are required by law to join a particular church in a particular country.

When the government and the church become intertwined together in that fashion, even to the point where the government provides funds for the church, that makes it unnecessary for the church to appeal to its adherents sufficiently that they will support it out of their own pocketbook, you get a corruption of both.

It was very interesting to me to travel to Russia after the Soviet Union collapsed and spend some time talking with Russian officials about this very issue. The Russian Parliament had passed an act which I believed was violative of the notion of freedom of religion and I went over to visit with them to talk to them about it.

After having visits with members of the Duma as well as members of the Yeltsin administration and their justice department, I was assured they would lean on the concept of freedom of religion and that the law would not be used in any way to persecute certain religions that had come in from outside, once the Iron Curtain was over and religions were made welcome there.

But the interesting conversation out of all of that in the context of what I am saying here came from some individuals who were talking about the role of the Russian Orthodox Church in Russian life. After the fall of the Soviet Union, the Russians were making an effort to identify themselves once again as something other than Communists, trying to figure out who they were, asking the fundamental question: What does it mean to be a Russian? Of course, the members of the Russian Orthodox Church hierarchy said being a member of the Russian Orthodox Church is important to being a Russian, but they also said we do not want to be a State church again. We have been there, and we know how debilitating it is for the church to have gov-

ernment involvement in our affairs and to have government financing our affairs.

As we have this debate over the words that go into the pledge—a debate that I think will ultimately be settled in the courts one way or the other, and if the precedent is as it has been, the words “under God” will be retained in the pledge—let us take the occasion to remember why we have such religious strength in this country. It is the fact that we have had freedom of religion, and we have had different denominations competing in the public square for their various adherents and not depending upon the Government for funding or direction, unlike many of the countries in Europe.

America is not in its post-Christian era the way Europe is, and, ironically, I think one of the reasons is because America has never had a government dictation of what that would mean, what religion ought to be. But again, even as we celebrate freedom of religion, I hope we don't go so far as to have Government dictate freedom from religion and tell us that we must in some way or other, however subtle, persecute people of faith.

I had the honor of receiving an honorary degree at one of our universities, and the commencement speaker was the Catholic bishop of the area served by that university. He made the point that he respects, and it is required by our Constitution to respect, all of those who disagree with him and have made the choice not to worship anyone. But he said, I only ask in return that they extend to me the same respect for the fact that I have chosen to worship and that they do not use Government affairs to persecute me for having chosen to believe, just as I say we must not use Government agencies to persecute those who have chosen not to believe.

I yield the floor.

Mr. TALENT. Mr. President, I am here today to discuss a resolution, strongly disapproving of the recent decision by the U.S. District Court for the Eastern District of California that the Pledge of Allegiance is unconstitutional. I am hopeful that the Senate will pass this resolution later today.

The Pledge of Allegiance is a record of American values and history and the words of the Pledge still resonate in the convictions of Americans today.

For more than 50 years, the Pledge of Allegiance has included references to the flag, to our country having been established as a union “under God,” and to this country being dedicated to securing “liberty and justice for all.” The Senate believes, as recognized in a resolution passed unanimously in 2003, that the Pledge is a fully constitutional expression of patriotism.

However, some of our courts have either no respect for or understanding of these American traditions.

Several years ago—June 26, 2002—in what has become an infamous case, the Ninth Circuit Court of Appeals in San

Francisco ruled the Pledge of Allegiance to be unconstitutional when recited voluntarily because it uses the phrase “one nation under God.”

On June 14, the Supreme Court at least temporarily preserved the phrase “one nation under God,” in the Pledge of Allegiance, ruling that the plaintiff could not challenge the patriotic oath because he did not have standing in the case. This procedural ruling did not directly address whether the pledge recited by generations of American schoolchildren is constitutional. It left the Pledge vulnerable to another challenge.

Not unsurprisingly, on January 3, 2005, the same plaintiff and four others filed a second suit in the Eastern District of California challenging again the words “under God” in the Pledge.

Yesterday, the Eastern District of California refused to dismiss the case, holding instead that the Ninth Circuit's ruling in 2002—that the words “under God” were unconstitutional—was still good law. The effect of the court's ruling is that the Pledge has been deemed unconstitutional in three Sacramento-area school districts. This issue will likely be appealed to the Ninth Circuit again.

We are a nation of many faiths and beliefs. Tolerance for dissent is one of our great American values. But so is our common conviction that America is a nation that seeks the will and enjoys the protection of Divine Providence. The fact that some might disagree with that conviction is not a reason to deprive the rest of us of our right to affirm it in the Pledge.

I hope this body will join me in expressing support for the constitutionality of the Pledge of Allegiance by passing this resolution that the Senate strongly disapproves of yesterday's decision by the U.S. District Court for the Eastern District of California.

The PRESIDING OFFICER. The Senator from Illinois.

HURRICANE KATRINA

Mr. DURBIN. Mr. President, in a few hours President Bush will speak to our Nation about Hurricane Katrina, a catastrophe that has devastated the gulf coast and left all Americans deeply shaken.

For nearly a week, the entire world watched in horror as tens of thousands of American citizens trapped by the floodwaters pleaded for rescue, for food, water, and medicine. This didn't happen only in New Orleans. It happened in Slidell, in Jefferson Parish, in Pass Christian, LA, in Biloxi and Gulfport, MS, and countless other communities along the gulf coast. The devastation was so widespread.

We watched in stunned disbelief—hard to imagine that we were viewing our country, our neighbors as a great American city was turned into a toxic lake by a disaster that had been predicted for years. We saw families clinging desperately to roofs, pleading

to be rescued. People died trapped in the attics of their homes. Sick and elderly American citizens died, abandoned, in nursing homes. Babies died in their mothers' arms. Bodies floated in rivers and decomposed in plain view. The images we saw didn't even look like America. They looked like some foreign land. Yet we knew it was our America.

We don't have any idea how many lives Katrina claimed. The numbers may reach hundreds, maybe thousands. We do know that Katrina was the greatest natural disaster America has ever experienced. One million of our fellow Americans have been displaced from their homes by this hurricane. Many lost their homes, their jobs, their communities, everything they owned. They are scattered today across America, living in emergency shelters, living with families and friends, and living with compassionate strangers. Many still don't know what has become of their family members, or whether they even survived.

A short time ago, our leader, Senator HARRY REID of Nevada, and Congresswoman PELOSI of California from the other Chamber, spoke about what they hoped to hear the President say tonight. I want to take a few minutes to talk about what I—and I believe many Americans—hope to hear from the President this evening.

First, let me tell you what I hope the President will not say. I hope the President's message to America is not divisive and ideological. Some are counseling the President to pursue that course. The lead editorial in this morning's Wall Street Journal gives you a sense of what those words may be like. It tells the President to "get back on the political and intellectual offensive" as if we are in some kind of a political campaign here when it comes to dealing with this great tragedy.

The solutions the Wall Street Journal proposes for New Orleans and the gulf coast are all out of the "Ownership Society" notebook—vouchers for health care and education, tax credits, no sense of community, no sense of shared purpose. Remember the motto of this "Ownership Society" that we hear from the Wall Street Journal. Their motto is to remember that we are all in this alone. But America knows better. That tone, those solutions, we have heard them so many times. When in doubt, the Wall Street Journal camp and those who follow it attack the liberals, the trial lawyers, anyone with different ideas.

Then, their ultimate universal solution for every catastrophe, every challenge and every problem: cut taxes on the rich. That is a cliché that will not work. It is a program that has failed. It is one that we shouldn't turn to.

For the good of America, it is time to stop attacking these perceived political enemies and start attacking the real problems: incompetence, cronyism, poor planning, poverty, inadequate health care and housing, and overwhelmed schools.

What do we need in America? What do we need from the President? Two words: unity and community.

Two days ago, President Bush said he takes personal responsibility for the Federal Government's disastrous response to Hurricane Katrina. The Governor of Louisiana said the same thing yesterday. So be it. They have accepted responsibility.

We need to know what happened. We need to know where we failed. But the finger-pointing should end as of today.

I commend the President for acknowledging that the buck stops at the Oval Office. Harry Truman had that famous sign on his desk: "The buck stops here." And the President, with his acknowledgment, said as much 2 days ago.

But responsibility is a word. What we need is accountability. Americans are united in our desire to help our fellow citizens, who have lost so much in this disaster, rebuild their lives and rebuild communities. It is in our national interest. More important, it is part of our national character. Americans do not turn their backs on their neighbors.

We want answers about the future of the gulf coast. But we also want and deserve answers as to how this catastrophe unfolded—not to point fingers of blame but to make sure we understand the shortcomings of government at a moment when America needed it the most.

Something terrible happened on the gulf coast. Government at all levels failed. The most basic test of government is to protect its people. Instead, we had unnecessary death, destruction, suffering, and loss. How could it happen in America?

After the London subway bombings in July, we called for increased spending for rail security in this country. There was a vote on it, but the administration said no. They said rail security was the responsibility of State and local governments.

In an interview with the Associated Press, Secretary Chertoff of the Department of Homeland Security explained that he could not focus on every threat. Then he said something which I am sure he regrets:

The truth of the matter is, a fully loaded airplane with jet fuel, a commercial airliner, has the capacity to kill 3,000 people. A bomb in a subway car may kill 30 people.

I am certain the Secretary would like to be able to retract those words. Then he said:

When you start to think about your priorities, you're going to think about making sure you don't have a catastrophic thing first.

Those are the words of Secretary Chertoff after the London subway bombing. Those were his words 6 weeks before Hurricane Katrina.

We are committed to the future of New Orleans and the gulf coast. But the American people also want to know what happened before and after Katrina hit. Why were we not prepared

for such a catastrophe? How could our government at all levels have been so unprepared to respond? What did Congress do wrong? What did the Senate do wrong? What did each agency of government do wrong? What has been done with the billions of dollars we have spent on disaster preparedness since September 11?

We have created a new agency, and we have brought new agencies from other parts of the government under that roof. We have tried to make it leaner and meaner and more effective. Yet when tested with Hurricane Katrina, it failed.

If our government can't save us from a disaster that has been predicted for years—from a blip on the radar which was seen 48 hours before it caused any destruction in the gulf area how will this government save us from a terrorist attack with no warning whatever?

Asking those questions is not "playing the blame game." It is accountability. It puts a responsibility on my shoulders as a minority Member of the Senate as much as any other Member of the Senate.

Hurricane Katrina has shaken our faith in our ability of the government to protect us. The only way to restore it is to get down to the bottom line and ask the hard questions.

You may recall after September 11 there was a suggestion that we have an independent nonpartisan commission to analyze what went wrong. Why didn't our intelligence agencies gather the information to warn us in advance? There was resistance to that idea from the White House. Yet we pressed forward. And the motivating force behind it was not only popular opinion but the surviving families of those who died on September 11. Those husbands and wives and extended family members came together and forced the creation of the 9/11 Commission.

We need another commission. We need an independent, nonpartisan commission in the mode and style of the 9/11 Commission. The force behind it should be the same: families coming together—those who have lost loved ones, those who have lost their homes and lost their communities—to demand of this government accountability at all levels: legislative, executive, local, State, and Federal.

It is regrettable; we had a chance to do this yesterday. Senator HILLARY CLINTON of New York, who certainly understands the disaster of September 11, as does her colleague, Senator SCHUMER, said let's put together this Katrina commission, this independent, nonpartisan commission. Unfortunately, it failed on a party-line vote yesterday in the Senate.

But that is not the end of the story. We will be back. We will be back with this commission proposal until we clearly do have an independent commission we can trust to analyze the situation.

Wouldn't it be great tonight if the President, on national television, says

he now understands we need a Katrina commission? And that it should be independent and nonpartisan, just like the 9/11 Commission? That would be a great way to start.

There will be an independent inquiry into Hurricane Katrina because the American people will demand it.

I hope the President tonight will announce that he supports a bill that Republican chairman SUSAN COLLINS of Maine, and Democrat Senator JOE LIEBERMAN of Connecticut have introduced to increase Federal funding for the special inspector general that monitors reconstruction in Iraq so that office can also oversee spending on Hurricane Katrina relief and reconstruction.

The Katrina reconstruction effort will be the most ambitious Federal investment effort since the New Deal, the largest-ever Federal expenditure on a natural disaster. The special inspector general has the expertise and infrastructure in place now to monitor the billions of dollars of Federal funds that will be needed and make sure the taxpayers' dollars are not wasted.

FEMA has never had a sum of money like \$60 billion. Trust me, having seen government at work for many years, you have to get up to speed and you have to have accountability or money will be wasted. Victims will not be helped when they should be.

In addition, Senators OBAMA, CARPER, and COBURN have proposed their own idea, a creation of a chief financial officer to monitor financial management of the departments involved in Katrina reconstruction. I encourage the President to endorse this proposal, as well.

We know that the \$62 billion in emergency funds Congress has already approved for Katrina over the last two weeks is a down payment. We're told that the President tonight will ask for another \$50 billion, and the final cost of this catastrophe could reach \$200 billion—more than we have spent in 3 years in Iraq to date.

Already we have heard troubling reports about contracts being awarded for Katrina work. Listen to this headline from Monday's Wall Street Journal:

No Bid Contracts Win Katrina Work. White House Uses Practices Criticized in Iraq Rebuilding for Hurricane-Related Jobs.

That is a very disappointing headline. To think we would go down the same path of waste and abuse we have seen in Iraq now in our own country with Hurricane Katrina is unacceptable.

The lead in the story says:

The Bush Administration is importing many of the contracting practices blamed for spending abuses in Iraq as it begins the largest and costliest rebuilding effort in United States history.

This was printed in the Wall Street Journal in their news. It is not some political document. It is their analysis. The story says:

The first large-scale contracts awarded to Hurricane Katrina, as in Iraq, were awarded

without competitive building, using so-called 'cost-plus' provisions that guarantee contractors certain profits regardless of how much they spend.

The article quotes a contracting expert at George Washington University Law School who says:

You can easily compare FEMA's internal resources to what you saw in the early days of the Coalition Provisional Authority in Iraq: A small, underfunded organization taking on a Herculean task under tremendous time pressure. This is almost by definition a recipe for disaster.

Last week, the President signed an Executive order to cut the pay for construction workers on Katrina reconstruction projects. Think about that for a second.

First, the wage scales in the South and Louisiana and Mississippi, in particular, are very low anyway. Imagine you were a construction worker and your home or community was devastated by Katrina. You are now trying to put your life and your family back together. You say to your family, "the good news is I do construction work and, boy, we will need a lot of that."

The first thing the White House announces, "we will cut that worker's pay." So the first thing we do for the workers who have lost their homes and lived through the devastation of Hurricane Katrina is to give them a smaller paycheck. Already, the wage scales are low in this part of the country. The White House wants to cut them to even lower levels.

The Executive order waives the Davis-Bacon law of 1931. Interestingly enough, it is a provision in the law that is supported by management as well as labor to make certain that you have skilled and qualified workers building buildings and bridges and communities that will last and not fall apart.

Construction workers in New Orleans earn an average of \$10.31 an hour, which is 25 percent below the national average already. They are paid so low now they cannot afford what many workers can buy across America. Now President Bush wants to pay these workers, many of whom have to rebuild their homes and their lives from scratch, he wants to pay them even less. And the White House reportedly is going to do the same thing for service workers on Katrina construction projects.

The first decision the President makes about Katrina reconstruction is to order a pay cut for workers who are trying desperately to rebuild their lives and support their families.

But not everyone is being asked to sacrifice. Joe Allbaugh was President Bush's campaign manager in the year 2000. From there he became Director of FEMA under the President. Then he hired his old college roommate, Mike Brown, a familiar name to most Americans.

Today, Mr. Allbaugh has left the Federal Government. He is a lobbyist. One of his clients, a company called the Shaw Group, has already received two

\$100 million no-bid contracts for Katrina work—one from the Army Corps of Engineers to pump flood water out of New Orleans, and the other from FEMA for construction and management for emergency housing for Katrina victims.

The Shaw Group has updated its Web site, and it reads "Hurricane Recovery Projects—Apply Here!"

Now, another one of Mr. Allbaugh's clients, Kellogg, Brown & Root Services, a subsidiary of—you guessed it—Halliburton, formally headed by Vice President CHENEY, is doing repair work at Navy facilities in Mississippi damaged by Katrina. It received the contract for that work despite the fact that the Pentagon auditors have questioned hundreds of millions of dollars in charges for their work in Iraq. The same companies under investigation for ripping off taxpayers in Iraq are being awarded no-bid contracts for Katrina.

The President would serve the Nation well tonight if he says that we are going to put an end to this daisy chain of favorable contracts to old friends. It would be better if he would say that we are going to focus on making sure that taxpayers get the most for the money that is being spent on this reconstruction, and also that we are going to help the displaced workers in the region first—not well-connected private contractors. We want to make certain those workers struggling to put their lives back together are the highest priority for Katrina reconstruction work.

If workers need the training to take on the jobs, they should get it. They should be paid a decent wage for their labor, not a dime less.

State and local governments should receive priority over private contractors. And when private contractors are used for Katrina cleanup and reconstruction, we need strict oversight for every single dollar.

Katrina is a national tragedy. It shouldn't be an opportunity for profiteering.

There are other things we hope to hear from the President.

Yesterday, the cochairman of the independent September 11 Commission released a report showing most of its important recommendations still have not been implemented 4 years after September 11.

According to Gov. Tom Kean, the Republican Governor of New Jersey who was chair of this Commission:

The same mistakes made on September 11 were made over again [in Hurricane Katrina], in some cases even worse.

Americans want to hear from their President how their Government intends to ensure that we are as protected as we can be from terrorist attacks, natural disasters, and other potential catastrophes, such as nuclear accidents and disease outbreaks, we are going to get it right.

Americans want to know that the National Guard has what it needs to respond to emergencies at home.

I asked a question the other day of the Secretary of Defense. I am not sure he was happy with it. But I asked him: How far can we stretch the National Guard? In my State, 70 percent of the National Guard men and women have already served in Iraq or are currently serving there.

Now, of those who have come home, 1 out of every 10 are headed to the gulf coast. Many of them returned from Iraq a few months ago. They were getting reacquainted with their families and rebuilding their lives, taking care of their homes and undertaking new responsibilities in their communities, new jobs.

Now, with that spirit of voluntarism, they have stepped forward. But the obvious question is: How many times can we ask the National Guard to rise to this national challenge? How are we going to meet the recruiting goals when we are asking so much of these men and women?

Guardsmen, Coast Guard members, and so many others have been the heroes of Hurricane Katrina. They have saved thousands and thousands of lives, at great risk. But the Guard's efforts were hampered by the fact that 3,000 Guard members from Louisiana and 4,000 from Mississippi were in Iraq, with their equipment, their humvees, their trucks, their helicopters.

The Army National Guard was woefully underequipped before the Iraq war started. It had only 75 percent of the equipment it needed. Today, more than half of the National Guard's equipment is either overseas or in need of major repair.

Now, we are watching Hurricane Ophelia off the coast of North Carolina. We pray it will not cause anywhere near the damage that it might. But we are positioning emergency personnel and the National Guard to respond.

Time and time and time again, we turn to our National Guard men and women. The obvious question is: How often can we ask them to perform this heroism? I think that is a legitimate question to ask this administration. When disaster strikes, the Guard is forced to move its people and equipment from farther away. As it does, it takes precious time and delays response.

The Guard estimates its equipment needs at \$14 billion today to upgrade the equipment of the National Guard to where it needs to be. The President's budget recommendation, is it \$14 billion for National Guard equipment? It is \$1 billion. So we are not preparing homeland security by equipping the National Guard with what they need today.

National Guard members do not lack for courage or commitment. They lack for equipment. The President should tell the American people tonight that he plans to ensure that the National Guard has what it needs to protect us at home.

Let me move to another issue that is affecting families and businesses across

America. The average price of gasoline today is \$1.40 higher than it was 4 years ago; for a gallon of gas, \$1.40 more. Oil companies are announcing record profits. According to the Boston Herald, ExxonMobil is set to announce \$10 billion in profits this quarter, after almost \$8 billion in profits for the last quarter. They are making \$110 million a day, and you know it because when you fill up your gas tank, you take a look at what you are paying. This money, frankly, is far in excess of what you should have to pay. These companies have had more in profits and more in net income than any companies in recent history in our country.

In Illinois, and across America, families have opened up their wallets for the victims of Hurricane Katrina. They should not have their pockets picked by a group of greedy oil companies.

Tonight, America wants to hear from President Bush the steps he is going to take to protect America's families and businesses from unfair price gouging by oil companies. I certainly hope the President is willing to take them on. What steps will the President support to develop alternative fuels so we can reduce our dependence on foreign oil? What can our Nation do to make certain we do not have to walk hand in hand with Saudi sheiks begging them for their oil for our economy? I hope the President will address that this evening.

Americans also want to hear President Bush explain how we are going to pay for the reconstruction of the gulf coast without shortchanging important national priorities and without burying our children and grandchildren in debt.

In the 1990s, under President Clinton, we eliminated the Federal deficit. The Government was running a surplus. And we were actually paying down the national debt so our kids' mortgage, our national mortgage would be lower.

In the last 4 years, under President Bush's watch, our national debt has increased by \$3 trillion. That is a 50-percent increase in the cumulative debt of America's entire history—50 percent under President Bush.

The Federal Government has to borrow \$2 billion every morning just to keep operating. Some are predicting the cost of Hurricane Katrina could push the deficit up to \$400 billion this year. We are looking at a flood of red ink this year and for years to come.

Yet, incredibly, there are those who think our top priority now should be cutting taxes for wealthy Americans. Imagine, no President in our history ever, of any administration, has cut taxes in the midst of a war.

This President continues to cut taxes as our deficits reach historic levels. And now, with Hurricane Katrina, we still hear Republicans on the other side of the aisle saying: Well, we have to give a tax break to the wealthiest Americans by eliminating the estate tax.

Accountability means responsibility. It means leadership. Tonight, when the

President speaks to the Nation, he should announce he will refuse to sign any bill eliminating the estate tax or any other tax cut that provides a windfall for the very wealthiest among us, until we provide it for the neediest among us, the victims of Hurricane Katrina.

Let me conclude by reminding my colleagues of a statement of Bill Cohen. Bill is a former Republican Senator from Maine and former Secretary of Defense under President Clinton. Here is what he said. This is "the Cohen Rule":

Government is the enemy—until you need a friend.

The other day I read a variation of this rule. It was said by Senator TRENT LOTT, who is viewed as a very conservative Republican in this Chamber. Here is what Senator TRENT LOTT said:

You're a fiscal conservative—until you get hit with a natural disaster.

In addition to houses and lives, one of the things swept away by Hurricane Katrina for many Americans was the myth of this "ownership society," which we have heard from the most conservative think tanks in Washington and from this administration. That is the point of view that says that less Government is always better, and we are all better off when we watch out for ourselves and our own families only and don't worry about the other guy.

For many of the victims of Hurricane Katrina, the only thing less Government meant was less protection. What Americans need is not necessarily less Government, but smarter Government. We need a Government that is strong enough to protect us overseas and protect us at home, a Government rooted in the most basic American moral values, a tradition that goes back to the earliest days of our Nation: banding together in times of need, to do for each other what none of us can do alone—using our common wealth for the common good.

Americans want a Government that says: We are all in this together, not: We are all in this alone.

We have seen so much heroism from so many people during Hurricane Katrina. We have seen the overwhelming kindness of Americans toward the survivors, the overwhelming, spontaneous outpouring of contributions from people across America—from the major corporations with their millions of dollars to the kids on the corner selling lemonade—all of them trying to do their part to help their neighbors, the most vulnerable in America, the victims of Hurricane Katrina.

America is yearning for a leadership and a leader that will speak to that spirit of unity and community. We will listen closely tonight for it.

The "ownership society" is not the right answer—it never was. Nor is using this national tragedy to try to divide Americans a good idea, when we yearn to be drawn together, not pulled apart.

We understand there are some challenges so enormous that none of us acting alone can meet them. We believe in sharing our blessings and our burdens. We believe in shared sacrifice.

There was a story in the Washington Post last weekend, the headline was "The Nation's Castaways." It was a story about some of the people who were left behind to fend for themselves in New Orleans when the floods came.

The reporter described a man who felt so guilty about the pita bread, water, and juice that he looted from a Wal-Mart to feed his family that he kept a list, so he can pay it back later. "I feel like an American again," the man said on TV after help finally began to arrive. "I thought my country had abandoned me."

Government at all levels failed during Hurricane Katrina, and tens of thousands of Americans were left with that same terrible fear—that their country had abandoned them. But we know from experience that when Americans pull together, we can overcome any obstacle. We have done it so many times in our history.

The urgent task facing the President tonight, and facing every leader in Government, facing every Senator, including this Senator, is to show the American people, not just in words but with actions, that we will not allow this tragedy to be repeated.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Minnesota.

Mr. DAYTON. Mr. President, I have come to the floor to join with the distinguished assistant Democratic leader in his conscientious and continuing concern for the victims of Hurricane Katrina.

I have seen the Senator from Illinois on the floor day after day, raising these questions, addressing these concerns. I understand tomorrow the Senator is going to New Orleans to tour the area personally, with Senate leadership, to see what needs to be done there to address the human suffering. I hear in his voice, and know from his longstanding commitment to the people of Illinois, the depth of his own heartfelt concern for their problems and his passion for their suffering and to do what we can, what we must, to address those problems.

I look forward to hearing from the Senator next week, after his return from New Orleans and that area, as to what we can do more effectively—all of us as leaders in the Senate, all of us working together, all of us as Americans, not as Democrats or Republicans, not as partisans but as patriots—on behalf of all the people in need.

I share his concern. What prompted me to come to the floor is I heard the Senator speaking about some of the difficulties in getting some of the necessary information in order to perform our responsibilities as Senators. I share that frustration, or at least let me express my own frustration because as a member of the Senate Committee on

Homeland Security and Governmental Affairs which has, under the Senate's organizing resolution, the responsibility and the authority to oversee the Department of Homeland Security as well as FEMA, the Federal Emergency Management Agency, which is under that agency, I have been confounded and enormously dismayed by the unwillingness of the Senate Republican leadership to permit that committee to do what it is responsible to do, which is to hold oversight hearings and to understand what is happening, what is not happening down in that flood-ravaged part of the country, and also to find out what must be done not to look at just failures—also, you hear about successes—not to point fingers of blame, but to exercise our oversight responsibility, particularly given that we have now, this body, at the President's request, appropriated almost \$63 billion of taxpayers' money to address these critical emergency needs.

I do not question the need to act quickly. And we have done so. But to deliver that much money—Federal taxpayers' dollars—to the responsible agencies without any oversight, without any questions asked or answers provided about what is being done with that money, and particularly to hear the Senator from Illinois describe published reports of sole-source contracting with organizations that have political connections with the President's former campaign manager, I find it to be shocking and appalling we have not exercised that responsibility.

I would ask the leader, and others responsible for these decisions, about when we will be holding public hearings in that committee to authorize our proceeding to do so with those who are directly responsible for the recovery efforts.

None of us wants to disrupt the recovery efforts in the southern part of the country. Lord knows, they have been disrupted enough already by what has failed to be done there, without any involvement by any of us. But I find it perplexing that Cabinet secretaries who have enough time to appear on Sunday talk shows and who are also clearly not in Louisiana or Mississippi day and night, 7 days and nights a week around the clock, have, while they are here in Washington, not a single hour available to appear before our committee in a public setting and answer the questions I have, that I know other members of the committee have, and that the American people have. We deserve—most importantly, the American people deserve—answers to these important questions.

Yesterday, we had, after now 2½ weeks since those levees failed in New Orleans, the very first public hearing of this committee. We had a former Governor of California, a former mayor of Grand Forks, ND, a couple of other wonderful former public servants who have expertise from their own past experiences, but not a single one of the people on that panel had any responsi-

bility for the public response to Hurricane Katrina. Similarly, not a single person with public responsibility for that response was willing to appear on that committee.

It was 9 days ago that we had before a number of us Senators 10 Cabinet secretaries, the Chairman of the Joint Chiefs of Staff, and the head of the National Guard to brief us on the situation right here in the Capitol, but they were not willing to appear in a public setting, even though there was not a single word spoken in that briefing that could not and should not have been witnessed and heard by the American people.

A week ago we had the Director of Operations for FEMA and the Deputy Commandant of the Coast Guard appear before the Committee on Homeland Security and Governmental Affairs, but they would not appear in a public setting. The briefing was behind closed doors. The public and press could not witness what they had to say. We have not yet, on this committee or any other committee that I am aware of—certainly none on which I serve, including Armed Services—had a single administration official willing to appear before us in a public setting and provide us with the information we desire, to allow us to ask questions and to provide answers in front of the committee and the American people. I find that unacceptable.

Again, I urge the Republican leadership of the Senate to authorize that committee to proceed as we are responsible to do, to join us and members of the committee, insist that the administration provide us their top officials. When they are not in New Orleans or Mississippi, when they are here in Washington, come up for an hour, an hour once, to begin with. Keep each of those Cabinet secretaries who were present 9 days ago, ask each one of them to come up and tell us in a public setting what their agency is doing to respond, what do they need from us, whether it is funding, legislation, removal of regulations, restrictions—tell us what you need from us in order to be more responsive and more effective in the Federal response to the emergency that persists. Come before us in a public setting, as public officials, as those who are responsible for the Federal response. Let us ask the questions we must to fulfill our oversight responsibilities, and let's start providing some public answers to the American people.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNETT). Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSTITUTION DAY

Mr. FRIST. Mr. President, on Saturday, the Nation will observe the 218th anniversary of the signing of the U.S. Constitution.

In previous years, September 17 has been designated "Citizenship Day"—a day on which all Americans were encouraged to pay special attention to the rights and responsibilities of citizenship.

This year, for the first time, we celebrate September 17 as "Constitution Day and Citizenship Day." This special focus on the Constitution came about as a result of an initiative sponsored by our senior colleague from West Virginia. The Consolidated Appropriations Act for Fiscal 2005 provides that each educational institution receiving Federal funds during a fiscal year will conduct a program of its own devising on the Constitution. Also, each Federal department and agency, in connection with this special day, will make available educational materials on the Constitution for its employees.

Today, we have placed on the desk of each Senator two documents. The first is an annotated copy of the Constitution. The second contains the record of the 1787 constitutional convention as pertains to the powers and responsibilities of the United States Senate. In the spirit of this first Constitution Day, I hope all my colleagues will take the time to examine both of these fundamental documents.

HISPANIC HERITAGE MONTH

Mr. DURBIN. Mr. President, I rise today to honor the work and achievements of Hispanic Americans. Every year since 1968 Americans have formally recognized the importance of Hispanic heritage and the contributions of Latino members of society. Hispanic Heritage Month allows the Nation's 41 million Latinos, along with all Americans, to celebrate Latino community and culture.

As the fastest growing population in America, Hispanics have the potential to significantly impact society through their hard work, commitment to faith and closely-knit families. Aida Gianchello is one of the Latina Americans who are changing the world. Aida founded the Midwest Latino Health Research, Training and Policy Center at the University of Chicago at Illinois. From this Center, Aida works within the Latino community and with the public health network to address health problems that disproportionately affect Latinos, including life-

threatening diabetes, asthma and hypertension.

This morning, I had the pleasure of meeting three women from Illinois about to graduate from the National Hispana Leadership Institute. Juanita Irizarry is the executive director of Latinos United, a housing policy and advocacy organization in the Chicago area. Eva Serrano is director of community and school partnerships at Aurora University. Elena Tijerina is a partner at Lucent Technologies. These are powerful women, already participating in civic, business and community affairs, moving forward in leadership. We are lucky to have them in Illinois.

I also must mention my friend Al Galvan. Al is a veteran of World War II and the founder of the first Hispanic organization for Hispanic American veterans. The Illinois Hispanic Chamber of Commerce recently bestowed its life-time achievement award on Al Galvan.

Despite the remarkable accomplishments of many Hispanic leaders, Hispanic Americans still face daunting challenges, including the 14 million who do not have health coverage, as well as dangerously low levels of income. But they are rising to face these challenges—the rate of minority enrollment in post-secondary institutions continues to grow, as does the number of small businesses owned by Latinos. Leaders are recognizing the problems faced particularly by Latinos and are offering specific solutions. Aida Gianchello led the charge to serve struggling neighborhoods in Chicago by setting up three diabetes-focused self-care centers which each reach about a thousand residents a month, many undocumented and uninsured.

Individual efforts, like those of the Illinois leaders I have mentioned here today, make me proud to acknowledge the work and achievements of Latinos throughout Illinois and the country. It is only with the continued dedication and appropriate appreciation of Hispanic Heritage that the Latino culture will grow and thrive in America.

LOCAL LAW ENFORCEMENT
ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On July 1, 2005, a man was beaten outside his home in Destin, FL. According to police, the apparent motivation for the attack was that the man was gay.

I would note that yesterday in the House, hate crimes legislation was

passed in a bipartisan vote. I strongly believe that we must also move similar legislation in the Senate. In the months ahead I look forward to working with Senator KENNEDY as we continue our work in passing a hate crimes bill.

HONORING OUR ARMED FORCES

ARTHUR RAY MCGILL

Mrs. LINCOLN. Mr. President, today I rise with a heavy heart to honor the life of SGT Arthur Ray McGill. It is the story of a carefree and loving young man from northwest Arkansas, who was devoted to his family and always put them above all else. It is also the story of a trustworthy and brave soldier, who honorably served his Nation in uniform, and ultimately gave his life in the name of freedom.

Sergeant McGill spent most of his childhood in the small Arkansas town of Decatur. Those who knew him best would describe him as a quiet and patient young man who was always considerate of others and treated them with respect. He attended Decatur High School and although he left after his 10th grade year, he went on to earn his general educational development diploma at the age of 17. Soon after, he joined the Arkansas National Guard, where he would serve for 6 years prior to enlisting in the U.S. Army in November of 2002.

In his free time, "Ray" or "Big Country," as he was known to friends and family, had a love for archery and could often be found playing video games or reading the comic books of his favorite superhero, Spiderman. But above all, his greatest love was his family, particularly his 7-year old daughter Kaylee. Her welfare was her father's greatest concern, and she knew that he could always be counted on to protect and care for her as best he could.

Sergeant McGill reported for duty in January of 2003 and was deployed for service in Operation Iraqi Freedom. He was one of the soldiers in the initial waves of American troops into Baghdad, and served in the area until that August. Sergeant McGill returned to Iraq in January of 2005. In explaining his decision to reenlist for a second tour of duty to his loved ones, Sergeant McGill spoke of his feeling of being needed in Iraq, and that he was simply doing his part and was proud to do so. He would also speak of his future after the Army, when he hoped to study criminal justice, buy a home, and become a member of the U.S. Border Patrol in New Mexico.

Throughout his military service, Sergeant McGill's hard work and dependability quickly earned him the respect and loyalty of his fellow soldiers. They even began calling him "Tizzley," a combination of a teddy bear and a grizzly, which aptly described the 6'6" soldier who had a heart of gold. Though the comradeship with his fellow soldiers grew, Sergeant McGill was still a